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**UNITED STATES DISTRICT COURT**

**DISTRICT OF NEVADA**

CHRIS MICHAELS, individually; DEIAN  
BORISLAV KOLEV, individually; and  
CHRISTINE LE, individually;

Plaintiff,

vs.

DMITRY PUSTYLNIKOV, individually;  
KNIGHT TRANSPORTATION, INC., a  
Foreign Corporation; DOES I through XX,  
inclusive; and ROE CORPORATIONS I  
through XX, inclusive,

Defendants.

CASE NO: 2:21-cv-00484-JAD-BNW

**STIPULATION TO EXTEND  
DISCOVERY PLAN AND SCHEDULING  
ORDER  
(FIRST REQUEST)**

**SUBMITTED IN COMPLIANCE WITH  
LR 26-1(B)**

Plaintiffs, CHRIS MICHAELS, DEIAN BORISLAV KOLEV, and CHRISTINE LE, by  
and through their attorneys of record BRADLEY S. MAINOR, ESQ., JOSEPH J. WIRTH, ESQ.,  
ASH MARIE BLACKBURN, ESQ., and JOSEPH W. GUINDY, ESQ., of MAINOR WIRTH,  
LLP, Defendants DMITRY PUSTYLNIKOV and KNIGHT TRANSPORTAION, INC. by and  
through their counsel of record JOEL D. ODOU, ESQ., ANALISE N. M. TILTON, ESQ. and  
KYLE J. HOYT, ESQ., of WOOD, SMITH, HENNING & BERMAN, LLP, hereby submit their  
Stipulated Discovery Plan and Scheduling Order pursuant to Fed R. Civ. P. 26(f) and Local Rule  
21857609.1:10092-0069

26-1.

**I. Discovery Conducted to Date (LR 26-4(a)):**

Both parties have submitted their initial FRCP 26.1 disclosures. Both parties have served written discovery requests. Defendants Dmitry Pustynnikov and Defendant Knight Transportation have each responded to Plaintiff Deian Kolev's Interrogatories, Requests for Production of Documents, and Requests for Admission. Plaintiffs are currently preparing responses to Defendant Dmitry Pustynnikov's Interrogatories, Requests for Production of Documents, and Requests for Admission, which are currently due for response on or before Thursday, August 26, 2021. Plaintiffs will provide Defendants with requested authorizations, allowing Defendants the ability to request Plaintiffs' medical and employment records for the five years prior to the accident to the present.

**II. Discovery to Be Conducted (LR 26-4(b)):**

- Deposition of Defendant Pustynnikov
- Deposition of Plaintiffs;
- Additional Written Discovery;
- Production of Expert Reports;
- Rebuttal expert witness reports; and
- Expert Depositions

**III. The Reasons the Remaining Discovery Cannot Be Completed Within the Time Limits Set by The Discovery Plan (LR 26-4(c)):**

This extension is requested as a result of the continued developments and effects regarding the COVID-19 emergency, which have delayed the ability to obtain independently requested medical records, delayed crucial depositions, and has significantly hindered other remaining discovery in this action. Due to scheduling conflicts, the parties have been unable to schedule the requested depositions. Additionally, all Plaintiffs are still receiving medical treatment for injuries sustained as a result of the subject collision. Accordingly, additional time will be needed to complete discovery.

21857609.1:10092-0069

Further, the parties have engaged in good faith regarding the terms of a stipulation under which Defendants would admit that they owed a duty to Plaintiffs and that the duty was breached. This stipulation would limit the burdens of discovery. During the time the stipulation was discussed discovery was temporarily delayed to avoid a waste of resources.

**IV. Proposed Schedule for Completing All Remaining Discovery (LR 26-4(d)):**

The current discovery deadlines are as follows:

- |   |                    |
|---|--------------------|
| 1. Discovery Cutoff (LR 26-1(b)(1)):                | October 18, 2021   |
| 2. Amend Pleadings and Add Parties (LR 26-1(b)(2)): | July 20, 2021      |
| 3. Initial Expert Disclosures (LR 26-1(b)(3)):      | August 19, 2021    |
| 4. Rebuttal Expert Disclosures (LR 26-1(b)(3)):     | September 17, 2021 |
| 5. Dispositive Motions (LR 26-1(b)(4)):             | November 17, 2021  |
| 6. Joint Pre-Trial Order (LR 26-1(b)(5), (6)):      | December 17, 2021  |

The parties propose extending all discovery deadlines by **sixty (60) days** as follows:

- |   |                    |
|---|--------------------|
| 1. Discovery Cutoff (LR 26-1(b)(1)):                | December 17, 2021  |
| 2. Amend Pleadings and Add Parties (LR 26-1(b)(2)): | September 20, 2021 |
| 3. Initial Expert Disclosures (LR 26-1(b)(3)):      | October 18, 2021   |
| 4. Rebuttal Expert Disclosures (LR 26-1(b)(3)):     | November 16, 2021  |
| 5. Dispositive Motions (LR 26-1(b)(4)):             | January 17, 2022   |
| 6. Joint Pre-Trial Order (LR 26-1(b)(5), (6)):      | February 15, 2022  |

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DATED this 13th day of August, 2021.

**MAINOR WIRTH, LLP**

*/s/ Joseph W. Guindy*

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DATED this 13th day of August, 2021.

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and Knight Transportation, Inc.*

**IT IS SO ORDERED.**

**ORDER**



UNITED STATES MAGISTRATE JUDGE

DATED: August 17, 2021.